

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Scherer et al.
 Serial No.: 10/578,811 Case: 21580YP
 Filing Date: May 4, 2006
 For: METHOD OF IDENTIFYING RESPONDERS TO TREATMENT
 WITH INSULIN SENSITIZERS

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Response to Restriction Requirement

Sir:

In response to the Restriction Requirement that was mailed August 3, 2008, applicants elect Group I, consisting of claims 1-21, which are drawn to a method of determining whether an insulin resistant patient is a responder to a therapeutic treatment for insulin resistance.

This is a complete and timely response to the Restriction Requirement. No fee is believed to be due. If any fee is required, it may be charged to Merck & Co., Inc. Deposit Account No.:13-2755.

If the Examiner wishes to discuss any matter relating to this application, he is invited to telephone the undersigned attorney.

Respectfully submitted,

By



James L. McGinnis
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Date: August 31, 2009